



OFFICE OF THE ATTORNEY GENERAL OF TEXAS
AUSTIN

GROVER SELLERS
ATTORNEY GENERAL

Hon. Wm. J. Tucker
Executive Secretary
Game, Fish & Oyster Commission
Austin, Texas

Dear Sir:

Opinion No. O-6008

Re: Does a statute of this State
provide a maximum and minimum
size length for the removal
of drum fish in the waters of
this State?

We acknowledge receipt of your letter dated May 5,
1944, which reads, in part, as follows:

"Mr. J. B. Arnold, Director of the Coastal
Division of the Game, Fish & Oyster Commission,
states that the County Attorney of Kleberg
County is not convinced that there is a statute
of this State which prescribes a minimum and
maximum size for taking drum fish; and he there-
fore requests an answer from your Department to
the following question:

"Does a statute of this State provide a
maximum and minimum size length for the re-
moval of drum fish in the waters of this
State?"

Sec. 1a of Art. 941, Vernon's Annotated Penal Code,
provides as follows:

"Provided, that it shall be unlawful for any
person to take, or have in his possession in this
State, any speckled sea trout of less length than
twelve inches, any red fish of less length than
twelve inches, or of greater length than thirty-
two inches, or any drum of less length than eight
inches or greater length than twenty inches, any
flounder of less length than twelve inches, or
any sheephead of less length than eight inches.
(As amended Acts 1929, 41st Leg., p. 269, ch.
119; Acts 1930; 41st Leg., 5th C. S., p. 130, ch. 13,
§1.)"

Hon. Wm. J. Tucker, p. 2

After careful research, we have failed to find any act of the Legislature repealing or further amending said section 1e of Art. 941, supra.

Trusting this fully answers your inquiry, we are

Very truly yours

ATTORNEY GENERAL OF TEXAS

By /s/ Fred C. Chandler
Assistant

By /s/
Elton M. Hyder, Jr.

ELM:rt:bb

APPROVED MAY 27, 1944
/s/ G. F. Blackburn
(Acting) Attorney General of Texas

APPROVED OPINION COMMITTEE
By- O. S., Chairman